

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5TH STREET**

MINUTES

WEDNESDAY, August 7, 2002, 9:00 A.M.

I. **CALL TO ORDER** - Phil Coebergh, Hearing Officer, John Shaver, Assistant City Attorney, Juanita Wesley, Deputy City Clerk .

II. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. DAFA Inc., dba Grand China Restaurant, 509 28 ½ Road, Beer/Wine

The application was approved subject to three outstanding critical violations being corrected. The establishment was reinspected on July 21, 2002 but the Mesa County Health inspector is on vacation. He will forward us the report when he returns.

2. Dillon Companies, dba City Market #1, 2775 Highway 50 South, 3.2% Beer

The application was found to be in order and approved.

3. Dillon Companies, dba City Market #9, 1909 N. 1st Street, 3.2% Beer

The application was found to be in order and approved.

4. Dillon Companies, dba City Market #18, 2830 North Avenue, 3.2% Beer

The application was found to be in order and approved.

5. Dillon Companies, dba City Market #32, 200 Rood Avenue, 3.2% Beer

The application was found to be in order and approved.

5. Grand Vista Hotel, dba Vista Hotel, 2790 Crossroads Blvd., Hotel/Restaurant

The application was found to be in order and approved.

III. **APPLICATION FOR RENEWAL AND REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. Fraternal Order of the Eagles #595, 1674 Highway 50, Club

Vice President: Duane Debord replaces Jay Buxton

Trustee: Add John D. Lynch

No one was present but the conviction of the DUI on Mr. Lynch was in 1994 and since the time was sufficient the Hearing Officer approved the change in corporate structure.

IV. **APPLICATION TO REGISTER MANAGER**

1. Seven Seventeen, HB Colorado Corporation, dba Adam's mark, 743 Horizon, Hotel/Restaurant

Terry Murphy, PO Box 775676, Steamboat Springs, CO replaces Larry MacDonald

No one was present. Ms. Wesley did state that the new manager would be an onsite manager and is just looking for housing as why his address is still Steamboat Springs.

V. RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE

1. Safeway Stores 46 Inc., dba Safeway Store #2625, 681 Horizon Drive, 3.2% Beer Off Premise

Applicant: Safeway Stores 46 Inc., PO Box 29096, Phoenix, AZ 85038-9096
President/Dir: Vasant Prabhu, 298 Barrington Ln., Alamo, CA
VP/Treas.: Bradley Fox, 315 Lowell Ln, Lafayette, CA
VP/Sec./Dir: Robert Gordon, Jr., 52 Muth Dr., Orinda, CA
Stockholder: Safeway Denver, Inc., c/o 5918 Stoneridge Mall Rd., Pleasanton, CA

Mr. Alan Dill, an attorney with Dill & Dill, Attorney Registration No. 872, was present for Safeway Store #2625. Ms. Wesley read into the record the results of the survey (see attached). Mr. Alan Dill had two witnesses present in favor of the application and submitted their information for the record. Claude Lee Wilerson, 739 27 Road and David Atchley, 1220 Bonita Avenue. Mr. Bruce Jones, the Manager of the Safeway Store, was also present. Mr. Coebergh took the information for the record.

Mr. Coebergh asked if there was anyone present in opposition. There was no one present.

Mr. Max Scott with Oedipus, Inc. was present and discussed the results of the survey. There was confusion on the City's survey with question No. 1 and usually Mr. Scott uses his own survey form and the wording of the questions is different in their survey. Mr. Scott said they talked to several businesses in the assigned area but no manager or owner was available to answer the questions.

Mr. Shaver asked how the survey was conducted. Mr. Scott said on Friday the 12th of July they surveyed the businesses and on the 13th and 14th, the residents of the area.

Mr. Coebergh asked the expected opening date. Mr. Alan Dill stated the target date is November 1, 2002.

The application was approved. A resolution of findings and approval will be prepared for Mr. Coebergh's signature.

VI. ADJOURNMENT

NEXT REGULAR MEETING – August 21, 2002

Memo to: Local Licensing Authority
From: Juanita S. Wesley, Deputy City Clerk
Date: July 23, 2002
Subject: Application by Safeway Stores 46 Inc., dba Safeway Store #2625, 681 Horizon Drive

Safeway Stores 46 Inc., dba Safeway Store #2625 filed an application with the Local Licensing Authority on June 24, 2002, for a new Retail 3.2% Beer License, Off Premise Consumption for the sales of fermented malt beverages for consumption off premises at 681 Horizon Drive under the trade name of Safeway Store #2625. The application and supplementary documents were reviewed, found to be in order and accepted. The application has been sent to the State for a concurrent review. The hearing date was set for August 7, 2002. The Notice of Hearing was given by posting a sign on the property by July 26, 2002 and by publishing a display ad in The Daily Sentinel on July 26, 2002.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey and defined the neighborhood as the area bounded by G ½ Road to the North; F (Patterson) Road to the South; 27 ½ Road to the East and 1st Street (26 Road) to the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee of or business lessee of property in the neighborhood, and/or an inhabitant residing in the neighborhood for more than six months each year, I believe the reasonable requirements of the neighborhood are already being met by other existing outlets.

YES:	1
NO:	0

2. As an inhabitant who resides in the neighborhood more than six months each year, it is my desire that the license be issued.

YES:	156
NO:	32
NOT APPLICABLE:	8
NOT USED:	1

No letters of opposition or counterpetitions have been filed to date.

The Grand Junction Police Department has investigated the corporate officers for local criminal history and none was found. The State Department of Revenue maintains a Master File on the corporate officers. The premises is under construction and will be inspected by the Grand Junction Fire Department and the Mesa County Health Department for compliance prior to the issuance of a license. A Certificate of Occupancy from the Mesa County Building Department will need to be filed in this office prior to the issuance of a license.

The number of similar-type outlets in the survey area is as follows:

3.2% FMB Off Premise – 0

The number of similar type outlets in a one mile area in addition to the above are:

3.2% FMB Off Premise – 2 (Loco Store #15 and Stop N Save No. 3)

That concludes this report.

cc: Applicant
John Shaver, Assistant City Attorney
Lorie Wilkins, Grand Junction Police Department
File

RESOLUTION NO. 9-02

DECISION ON APPLICATION FOR A
3.2% BEER OFF PREMISE LIQUOR LICENSE
BY SAFEWAY STORES 46 INCORPORATED

UNDER THE TRADE NAME OF "SAFEGWAY STORE #2625" LOCATED AT 681 HORIZON DRIVE, GRAND JUNCTION, COLORADO

A public hearing was held on August 7, 2002, by the Local Licensing Authority for the City of Grand Junction (hereinafter "City"), on the application submitted by Safeway Store 46 Incorporated (hereinafter "Applicant") for a 3.2% Off Premise liquor license under the trade name of "Safeway Store #2625" located at 681 Horizon Drive, Grand Junction, Colorado. The Local Licensing Authority having duly considered the evidence adduced at said hearing FINDS:

1. The hearing on August 7, 2002 on the application was held after proper notice thereof, as required by 12-47-136 C.R.S., et. seq.
2. The survey of the neighborhood conducted by the applicant revealed that 1 persons believed the needs of the neighborhood were not being met and 0 person believed the needs are being met, and 156 inhabitants residing in the neighborhood desire the Local Licensing Authority grant the requested license; 32 said no, 8 were not applicable and 1 not used.
3. There are no (0) similar-type outlets in the surveyed area. There are two (2) similar-type outlets in a one-mile radius.
4. There were no counterpetitions or letters of opposition filed in regards to this application.
5. The moral character and reputation of the applicants for this application is good as determined by a check performed by the Grand Junction Police Department.

In light of all the evidence presented at the hearing, the documents and survey placed in the file, and the statements the applicant, it is determined that the statutory requirements for the issuance of the license have been met.

**NOW, THEREFORE, BE IT RESOLVED BY THE LOCAL LICENSING
AUTHORITY OF THE CITY OF GRAND JUNCTION;**

That the application submitted by Safeway Stores 46 Incorporated for a 3.2% Off Premise Beer liquor license, under the trade name of "Safeway Store #2625", located at 681 Horizon Drive, Grand Junction, Colorado, be approved.

DONE, this 7th day of August 2002.

Phil Coebergh, Hearing Officer
Local Licensing Authority for the
City of Grand Junction

ATTEST:

Juanita S. Wesley
Deputy City Clerk
Office of the City Clerk